

United States District Court
for
District of New Jersey
Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender
(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: James Hatton

Cr.: 07-00770-001
PACTS #: 22383

Name of Sentencing Judicial Officer: THE HONORABLE NOEL L. HILLMAN
UNITED STATES DISTRICT JUDGE

Date of Original Sentence: 05/07/2008

Original Offense: Conspiracy to Distribute and Possess With Intent to Distribute Methamphetamine

Original Sentence: 72 months imprisonment, 5 years supervised release and \$100 special assessment.

Special Conditions: Substance Abuse Testing/Treatment; Financial Disclosure, Mental Health Treatment.

Type of Supervision: Supervised Release Date Supervision Commenced: October 25, 2013

PETITIONING THE COURT

- ☐ To extend the term of supervision for ____ years, for a total term of ____ years.
- ☒ To modify the conditions of supervision as follows:

LOCATION MONITORING PROGRAM (90DAYS)

You must submit to one of the Location Monitoring Program components noted below for a period of 90 DAYS.

You must submit to **Home Detention** and comply with the program requirements as directed by the U.S. Probation Office. You will be restricted to your residence at all times except for employment, education, religious services, medical, substance abuse and mental health treatment, court-ordered obligations, and any other such times specifically authorized by the U.S. Probation Office. You must wear an electronic monitoring device (radio frequency transmitter) and follow all location monitoring procedures as directed by the U.S. Probation Office. You must pay the cost of the monitoring.

CAUSE

On March 12, 2018, Mr. Hatton was arrested by the Parkside Police Department, Pennsylvania, and charged with driving under the influence of alcohol or controlled substance (DUI), requiring lighted lamps, restrictions on alcoholic beverages, and careless driving. An initial appearance was held on March 22, 2018, and Hatton was released on unsecured \$5,000 bail. On May 3, 2018, a Preliminary Hearing was held and all charges were withdrawn except the driving under the influence or alcohol or controlled substance.

According to the arrest report, a police officer observed Hatton driving without the vehicle headlights illuminated. A traffic stop was initiated and the officer observed Hatton's eyes were bloodshot and glassy; his speech was slurred and an odor of an alcoholic beverage was detected on his breath. Hatton exited his vehicle and failed roadside sobriety tests. A breathalyzer test yielded a result of .127%, which was well above the state's statutory limit of .08% BAC. Hatton was arrested, transported to the Parkside Police Department and driven home after processing. This case is currently scheduled for trial on July 16, 2018, in the Court of Common Pleas of Delaware County.

On April 23, 2018, Hatton admitted to the probation officer that after consuming alcohol with his neighbor and girlfriend on March 21, 2018, he attempted to drive home. He admitted to not having his headlights on and failing sobriety tests.

Hatton agreed to the proposed modification, absent a Court hearing. The Eastern District of Pennsylvania probation office requests this modification will serve as the only sanction for Mr. Hatton's DUI arrest, regardless of the final disposition of the charges.

Respectfully submitted,

Evan M. Dorfman

By: Evan M. Dorfman *SJO*
U.S. Probation Office

Date: 06/12/2017

THE COURT ORDERS:

- ☐ The Extension of Supervision as Noted Above
☒ The Modification of Conditions as Noted Above
☐ No Action
☐ Other

Michael J. Sullivan

Signature of Judicial Officer

June 22, 2018

Date

PROB 49
(3/89)

United States District Court

District of New Jersey

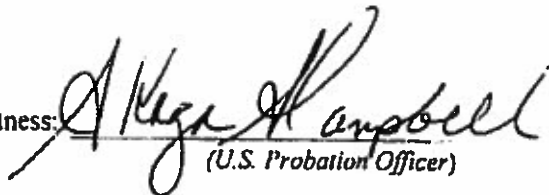
Waiver of Hearing to Modify Conditions of Probation/Supervised Release or Extend Term of Supervision

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

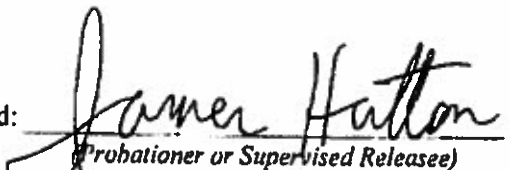
I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

You must submit to home detention for a period of 90 days as soon as practicable and comply with the Location Monitoring Program requirements as directed by the U.S. Probation Office. You will be restricted to your residence at all times except for employment, education, religious services, medical, substance abuse and mental health treatment, court ordered obligations, and any other such times specifically authorized by the U.S. Probation Office. The location monitoring technology is at the discretion of the U.S. Probation Office. You must pay the cost of the monitoring.

Witness:


(U.S. Probation Officer)

Signed:


(Probationer or Supervised Releasee)

4/23/18

(Date)